

REMARKS

The present amendment is submitted in conjunction with a Request for Continued Examination (RCE) and in response to the final Office Action dated October 5, 2010, which set a three-month period for response, making this amendment due by January 5, 2011.

Claims 1-6, 8-13, 15-20, and 22-26 are pending in this application.

In the Office Action, claims 1-6, 8-13, 15, 17-20, 22, 24, and 25 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,456,222 to Agne in view of U.S. PG Pub 2003/0099176 to Okada. Claim 16 was rejected under 35 U.S.C. 103(a) as being unpatentable over Agne and Okada as applied to claim 4 and further in view of U.S. Patent No. 6,736,062 to Frank et al. Claim 23 was rejected under 35 U.S.C. 103(a) as being unpatentable over Agne and Okada as applied to claim 10 and further in view of U.S. PG Pub 2001/0018872 to Tokiwa. Claim 26 was rejected under 35 U.S.C. 103(a) as being unpatentable over Agne and Okada, and further in view of U.S. Patent No. 5,089,759 to Miotke and U.S. Patent No. 5,335,597 to Helmstädter.

In the present amendment, the independent claims were amended to more clearly define the invention over the art of record by again taking into consideration the Examiner's comments made in the outstanding Office Action.

Specifically, claim 1 now specifies that "*at least two units (01; 02; 03; 04; 06; 07 having separate drives (08) and mechanically driven independently of one another by separate drive motors (M), wherein said independently driven units*

(01; 02; 03; 04; 05; 07) are configured to cooperate directly or indirectly with a web traveling through the printing press and wherein said independent driven units are aligned in respective positions relative to the web and to one another, wherein said separate drives (08) are connected to one another".

Independent claims 24 and 25 have been amended in a similar manner; claim 24 was further amended to adopt standard method claim format.

Support for the language added to the claims can be found in the original specification in the paragraph bridging ages 4-5.

The Applicants respectfully submit that neither the primary reference to Agne nor the secondary reference to Okada discloses the above features.

The Examiner states on page 2 of the final rejection that while the Applicants argued in their last amendment that the Agne/Okada combination does not teach two units having separate drives and driven by separate motors, "a plurality of drives are shown in the Figure of Agne which are shown as physically separate, having separate motors M1, M2,...M5. The entire system together is a drive control unit. In Agne, at least the drives M1, M2 are controlled and the drive are connected to each other through intermediate wiring".

The Applicants respectfully disagree. Agne does not show drive units and the "mechanically driven independently of one another by separate motors". Rather, as disclosed in column 2, line 42 through column 3, line 12, sensor G1 and G2 sends information to the drive regulator AR5. The sensor G1 is mechanically coupled to the motor M1. The drives AR1 to AR5 are arranged in a production machine "in which the motor M1 releases a product of the machine".

Sensor G1 detects the position of the motor M1 and sends this signal to the drive regulator AR1. This drive regulator sends the information to the drive bus AB1 to AB4 having "real-time capability to the drive regulator AR4". The actual position value of the motor M1 is converted into sensor-compatible pulsed signals in the sensor signal converter GU2 and these signals are transmitted to the drive regulator AR5 controlling the motor M5.

In other words, as disclosed here in Agne, the drive units and drives are NOT driven independently from one another by separate motors. Rather, whether a drive or drive regulator is "activated" and controlled by signals produced and transmitted from another drive/drive regulator. Further, Agne does not provide at least two units that are "mechanically driven"; again, the drive action of the units is not independent from one another, since it depends on input from other units.

The claims as amended therefore are not rendered obvious by the cited combination, since neither reference discloses or suggest the above features. It is respectfully submitted that since the prior art does not suggest the desirability of the claimed invention, such art cannot establish a prima facie case of obviousness as clearly set forth in MPEP section 2143.01. Please note also that the modification proposed by the Examiner would change the principle of operation of the prior art, so that also for this reason the references are not sufficient to render the claims prima facie obvious (see the last paragraph of the aforementioned MPEP section 2143.01).

As provided in MPEP §2143.01, the “mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination.”

The application as amended is believed to be in condition for allowance. Action to this end is courteously solicited. Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael J. Striker', with a long horizontal flourish extending to the right.

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